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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,798	06/05/2001	Ashvinkumar J. Sanghvi	MS1-693US	5525
22801	7590	05/17/2005	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			SIDDIQI, MOHAMMAD A	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,798

Applicant(s)

SANGHVI ET AL.

Examiner

Mohammad A. Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 18-21, 23-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18-21, 23 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-24 are presented for examination. Claims 17 and 22 have been canceled.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-16, 18-21, and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Natarajan et al. (6,505,244) (hereinafter Natarajan) in view of by Shanumgam et al. (6,708,187) (hereinafter Shanumgam)

3. As per claim 1, Natarajan discloses a method comprising:

A plurality of devices configured (by definition configuration means the particular arrangement or pattern of a group of related things, col 8,

lines 21-22) to support feedback based adaptive network (204 B, fig 2, col 8, lines 16-20, i.e. routers are group of router);

at least one event-handling policy (modular, figure 2 element 254, col 14, lines 51-52), wherein the assigned policy is associated with each of the plurality of devices (figure 2, element 254, col 14, lines 33-50); and

evaluating a current state of each device (figure 17, element 1718) before the assigned policy (figure 17, element 1728) is applied to the device (figure 17, col 31, lines 35-67). Natarajan does not explicitly teach assigning a plurality of devices to a group, assigning event-handling policies to the group, assigned policy in the group. However, assigning, grouping, and evaluating are very well known in the art, in many cases assigning, grouping, and evaluating are part of the policy based network system configuration. Shanumgam, for example discloses assigning a plurality of devices to a group (col 5, lines 34-46), assigning event-handling policies to the group (col 5, lines 40-46), assigned policy in the group (col 5, lines 40-46). It would have been obvious to one of the ordinary skill in the art at the time invention was made to combine the teachings of Natarajan and Shanumgam. The motivation would have been to have a unified policy management system with a remotely situated policy enforcers.

4. As per claim 10, Natarajan discloses an event log configured to store event data (data store, figure 2, element 252, col 13, lines 45-57); and a management module (management module is interpreted as software control component) coupled to the group of devices and the event log (ADMIN, figure 2, element 260,262,252, col 19, lines 1-16), wherein a current state of each device in the group of devices is evaluated by the software control component (decision making, col 14, lines 5-20 and figure 17, element 1718, col 31, lines 36-40, current state is related to number of packets dropped at each links, col 32, lines 35-39, used to tune network device) before the event-handling policy is applied to the device (figure 6 and 7, col 19, 1-16, col 14, lines 34-50 and figure 17, element 1728, col 31, lines 45-56, determination of the effectiveness of the policy is done by evaluating and re-evaluating the CIR policy further col 32, lines 1-5, teaches how it is implemented); and

wherein the management module (management module is interpreted as software control component) determines whether a particular device is currently a member of the group before the event-handling policy is applies to the device (col 19, lines 1-47, it is implied during the registration process and col 32, lines 1-5, action is taken to modify the policy, modifying includes the step of assigning). Natarajan does not explicitly discloses known teachings in the WBEM or WMI art such as a group of devices having an

associated event-handling policy assigning event-handling policies to the group , assigned policy in the group, management module that allows central control over the policy enforcer. Shanumgam, for example discloses a group of devices having an associated event-handling policy (col 5, lines 34-46), assigning event-handling policies to the group (col 5, lines 40-46), assigned policy in the group (col 5, lines 40-46), management module that allows central control over the policy enforcer (302, fig 3, col 6, lines 40-55, management module). It would have been obvious to one of the ordinary skill in the art at the time invention was made to combine the teachings of Natarajan and Shanumgam. The motivation would have been to have a unified policy management system with a remotely situated policy enforcers.

5. As per claim 18, the claim is rejected for the same reasons as claims 1, above. In addition, Natarajan discloses identifying at least one event-handling policy (added, figure 2 element 254, col 14, lines 33-35) associated with the group of devices (module, figure 5C, element 254, col 14, lines 51-52), wherein the event- handling policy defines how devices are configured;

6. As per claim 2, Natarajan discloses evaluating a current state of each device determines whether each device is currently a member of the group (col 14, lines 33-50, it is implied in the tree structure children have only one

parent).

7. As per claim 3, the claim is rejected for the same reasons as claim 1, above. In addition, Natarajan discloses determining whether a particular device is currently a member of the group (figure 5C, element 254, col 14, lines 5-20); and

applying the assigned policy to the particular device if the particular device is currently a member of the group (col 14, lines 33-35).

8. As per claims 4 and 12, Natarajan discloses each device is assigned at least one additional policy that is not assigned to the group (col 14, lines 51-56).

9. As per claims 5 and 19, the claims are rejected for the same reasons as claims 1 and 18, above. In addition, Natarajan discloses a particular device is assigned to multiple groups (modular, col 14, lines 33-50).

10. As per claims 6 and 13, Natarajan discloses the event-handling (figure 2, element 254) policy defines how the device is configured (col 8, lines 27-38).

11. As per claims 7, 14 and 20, Natarajan discloses the event-handling (figure 2, element 254) policy identifies the types of events that are provided to each device (col 10, lines 40-50).

12. As per claim 8, Natarajan discloses the method is implemented by a management module (ADMIN, col 19, lines 1-15).

13. As per claim 9, Natarajan discloses One or more computer-readable memories containing a computer program that is executable by a processor to perform the method of claim 1 (col 12, lines 46-59 and col 8, lines 52-59 and col 12, lines 46-51, cache).

14. As per claim 11, Natarajan discloses a plurality of groups of devices are coupled to the management module (figure 2, element 254,260, col 19, lines 1-19).

15. As per claim 15, Natarajan discloses the apparatus is part of an enterprise computing system (figure 2, col 7, lines 44-53).

16. As per claim 16, Natarajan discloses the management module receives event data generated by a plurality of event providers (figure 2, element

260, 262, 254, 270, col 19, lines 1-19).

17. As per claim 21, the claim is rejected for the same reasons as claim 1, above. In addition, Natarajan discloses if the states of a particular system in the particular group is not valid (decision tree, col 14, lines 33-50), updating the particular group to delete the particular system (added or deleted, col 14, lines 33-50); and applying the policies to the systems in the updated group (added or deleted, col 14, lines 33-50).

18. As per claim 23, Natarajan discloses creating an event log associated with the particular group (network elements, col 7, lines 11-30); and maintaining information about the states of the systems in the particular group in the event log (col 7, lines 16-19).

19. As per claim 24, the claim is rejected for the same reasons as claim 21, above. Natarajan discloses the states represent at least one of a version of an operating system, a location in a geographic region, a configuration of the system, presence of a particular hardware item, or capacity of a particular hardware item (Network elements includes hardware and software, office interprets an operating system as a software and attributes

of the configuration file, col 8, lines 4-25 and col 19, lines 25-28, col 20, lines 6-15, LDAP incorporates geographic region).

Response to Arguments

20. Applicant's arguments filed 02/28/2005 have been fully considered but they are not persuasive, therefore rejections to claims 1-16 and 18-21, and 23-24 is maintained.

21. In the remarks applicants argued that:

- A. Natarajan does not disclose "evaluating a current state of each device before the assigned policy is applied to the device".
- B. Natarajan does not disclose 'determining whether a particular device is currently a member of the group".
- C. Natarajan does not disclose "the types of events that are provided to each device".

22. In response to applicants argument A, Examiner respectfully disagrees. Natarajan discloses evaluating (col 31, lines 40-45, evaluate the effective ness of the policy) a current state of each device (figure 17, element 1718, col 31, lines 36-40, current state is related to number of

packets dropped at each links, col 32, lines 35-39, used to tune network device) before the assigned policy (figure 17, element 1728, col 31, lines 45-56, determination of the effectiveness of the policy is done by evaluating and re-evaluating the CIR policy further col 32, lines 1-5, teaches how it is implemented) is applied to the device (figure 17, col 31, lines 35-67, col 32, lines 1-5, action is taken to modify the policy, modifying includes the step of assigning).

23. In response to applicant's argument B, Examiner respectfully disagrees. Natarajan discloses determining whether a particular device is currently a member of the group (figure 5C, element 254, col 14, lines 5-20); and applying the assigned policy to the particular device if the particular device is currently a member of the group (col 14, lines 33-35, col 31, lines 35-67, col 32, lines 1-5, action is taken to modify the policy, modifying includes the step of applying to automatically and dynamically adapt to the changing network conditions, since the invention is using Microsoft Active Directory and data store is implemented as an LDAP directory, col 20, lines 4-20, examiner feels the importance of briefly describing briefly LDAP, LDAP is a software protocol for enabling anyone to locate organizations, individuals, and other resources such as files and devices in a network, whether on the public Internet or on a corporate

intranet. In a network, a directory tells you where in the network something is located. On TCP/IP networks (including the Internet), the domain name system (DNS) is the directory system used to relate the domain name to a specific network address. However, you may not know the domain name. LDAP allows you to search for an individual without knowing where they're located, An LDAP directory is organized in a simple "tree" hierarchy consisting of the following levels: The root directory (the starting place or the source of the tree), which branches out to, Countries, each of which branches out to, Organizations, which branch out to, Organizational units (divisions, departments, and so forth), which branches out to (includes an entry for), Individuals (which includes people, files, and shared resources such as printers)

24. In response to applicant's argument C, Examiner respectfully disagrees. Natarajan discloses the event-handling (figure 2, element 254) policy identifies the types of events that are provided to each device (col 10, lines 40-50 and col 25, lines 55-60, event handler determines the particular events to be monitored and reported)

Conclusion

25. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

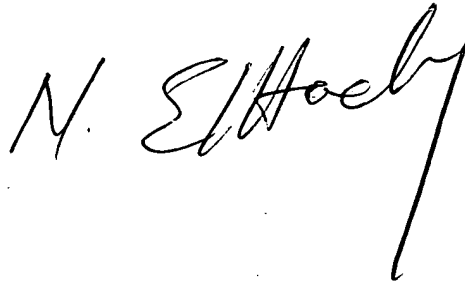
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A. Siddiqi whose telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS

A handwritten signature in black ink, appearing to read "N. El-Hachy". The signature is written in a cursive style with a long, sweeping vertical stroke at the end.